

# Legrand New Zealand Limited Credit Reporting Policy

Our Credit Reporting Policy applies specifically to credit related personal information which is credit information, credit eligibility information, or credit reporting body derived information about an individual (credit related information). Our Credit Reporting Policy sets out how Legrand New Zealand Limited and its related entities (Legrand) manage that information. Legrand is bound by the Privacy Act 1993 (Act) and the 12 Privacy Principles set out as applicable and in relation to that credit related information.

Our Credit Reporting Policy must be read in conjunction with Legrand's Privacy Policy which applies to personal information. A copy of our Privacy Policy is available on our website. Refer to <http://www.legrand.co.nz/home> for more information and a copy of our policies.

## When does Legrand collect credit related information?

We collect credit related information in limited circumstances, depending on the structure of your business and other factors. For example, where you or your business enter into a trade credit agreement or contract with us as a sole-trader, an unincorporated partnership, or a trust with individual rather than corporate trustees, Legrand may collect credit related information about you or other individuals associated with you and your business.

We may also collect credit related information about you or other individuals associated with you or your business, including but not limited to where we require you or someone else to personally guarantee the payment of any amounts owed to us under a trade credit agreement or other contract.

## Your acceptance of this Credit Reporting Policy

By completing a trade credit agreement or entering into contracts with us or otherwise providing us with your credit related information, you agree to the terms of this Credit Reporting Policy. Depending on the manner in which you communicate with Legrand, further privacy information may apply in addition to the matters discussed in this Credit Reporting Policy.

From time to time Legrand may update this Credit Reporting Policy. When changes are made, we will revise the date of last update listed at the end of this Policy. We encourage you to check our website regularly for any updates to our Credit Reporting Policy.

## What kinds of credit related information do we collect and hold?

Legrand collects and holds various kinds of credit related information including: identification information (including an individual's name, age, address); the name of your employer or former employer; that you have sought credit from Legrand and the amount sought; statements that information requests have been by credit providers, mortgage insurers or trade insurers; default information; court proceedings information; personal insolvency information; publicly available information that relates to an individuals' activities in New Zealand and their credit worthiness; opinions of other credit providers; opinions of credit reporting bodies including credit ratings, scores and evaluations about credit worthiness; individuals' credit application history; and any other information relevant to the purposes for which we collect credit related information.

## How do we collect and hold your credit related information?

Legrand will collect your credit related information primarily from you or from someone representing or assisting you or from publically available sources. However, where it is unreasonable or impracticable to collect it directly from you, we will collect information about you from third parties. Third parties we may collect your credit related information from include our agents, credit reporting bodies and any other person we consider necessary to carry out our functions.

Legrand maintains appropriate security, data collection, storage and processing practices to ensure such steps as are reasonable in the circumstances are taken to protect your credit related information from misuse, interference, loss, unauthorised access, modification, or disclosure. Where this information is no longer required, Legrand will take reasonable steps to destroy or de-identify the information.

## Why do we collect, hold, use and disclose your credit related information?

Legrand collects, holds, uses and discloses credit related information as reasonably necessary for our business purposes and as permitted by law. These purposes are varied and may include: assessing whether to provide you or your business with credit or to accept you as a guarantor; making credit worthiness evaluations to be used in Legrand's decision making processes; managing credit provided by Legrand; participating in the credit reporting system and providing information to credit reporting bodies; assisting other credit providers; undertaking debt recovery and enforcement activities; dealing with complaints, dispute resolution and complying with legal and regulatory requirements including but not limited to the Personal Property Securities Act 1999, the Taxation Administration Act 1994, and the Income Tax Act 2007.

If credit related information is not collected by us it may prevent us from engaging in certain activities with you and your business include entering into deferred payment arrangements, trade credit agreements, or other our business related activities where we consider obtaining that information is necessary.

### Overseas disclosures

Some of the parties that we disclose credit related information to may be located outside of New Zealand (including Australia, France, the EU, or USA) and may not be subject to privacy obligations under the Privacy Act. When Legrand discloses credit related information outside of New Zealand we will comply with this policy and the requirements of the Act. Please see the section "Cross-border disclosure of personal information" in our Privacy Policy. Refer to <http://www.legrand.co.nz/home> for more information and a copy of our policies.

## How do we use and disclose your credit related information?

### Disclosure of credit related information to credit reporting bodies

Legrand may disclose credit related information to credit reporting bodies (Credit Reporters) where the Act and this Policy permits us to do so.

When you apply for credit with us, complete a trade credit agreement, or agree to act as a guarantor for another party seeking credit from us, we may provide your credit related personal information to a nominated Credit Reporter for the purposes of seeking a credit report or undertaking credit reference checks on you. By applying for credit, completing a trade credit agreement, or agreeing to act as a guarantor on behalf of a party doing the same, you hereby expressly consent us to obtaining a credit report and undertaking credit reference checks on you with our nominated Credit Reporter.

If you or your business fails to meet payment obligations in relation to commercial credit provided by us we may be entitled to disclose credit related information to Credit Reporters. Credit Reporters may include the credit related information we provide to them in credit reports to other credit providers to assist them to assess the individual's credit worthiness.

We are likely to disclose credit related information we collect to the following Credit Reporters:

#### **CreditorWatch**

GPO Box 276, Sydney, NSW, 2001

<https://www.creditorwatch.com.au>

Phone: +61 1300 50 13 12

### Some of your rights in relation to Credit Reporters

Legrand uses a Credit Reporter based in Australia. Credit Reporters in Australia are subject to compliance with the Privacy Act 1988 (Cth) (Australian Act) and the Credit Reporting Privacy Code (Code). Under the Australian Act and Code individuals have certain additional rights in relation to their credit related information.

A Credit Reporter may use your credit related information to assist a credit provider to market to you by pre-screening you for direct marketing by the credit provider. If you do not want a Credit Reporter body to use your credit related information for the purpose of pre-screening, you have the right under the Australian Act to contact them and request that they exclude you.

If you reasonably believe you have been or are likely to be a victim of fraud, you may contact a Credit Reporter to request that they not use or disclose your credit related information. The Credit Reporter body will explain to you in detail the effects of this.

## Disclosure of credit related information to other recipients

We may, as permitted by law, disclose your credit related information to third parties including our related companies, agents or other third parties for the internal management purposes that are directly related to the provision or management of credit we provide. Some of these third parties may not be located in New Zealand may not have a New Zealand link. The countries in which these recipients may be located will vary from time to time, but may include Australia, France and other European countries, the United States of America, and any other countries where Legrand or its related entities have a presence or engages third parties. We may disclose credit related information to a debt collection agency, or where you have expressly consented to that disclosure to another credit provider or guarantor, or as otherwise allowed by the Act.

## How can you access or correct your credit related information?

### Accessing your credit related information

To access the credit related information we hold about you, please send a written request to our Data Protection Officer, [dpo@legrand.com.au](mailto:dpo@legrand.com.au). We aim to review access to the credit related information within 20 working days of your request but it may take longer. There is no charge associated with making an access request but an administration charge may apply for providing access in accordance with your request.

Under the Act we may refuse to give access to the credit related information where for example giving access would disclose commercially sensitive information or information relating to existing or anticipated legal proceedings. If we refuse to provide you with access to credit related information held about you by us, then we will provide written reasons for the refusal and advise you of available avenues of redress.

You may also have a right under the Australian Act and the Code to obtain your credit information from a Credit Reporter free of charge if the access request relates to a decision to correct information about you. That right may be exercised by contacting the relevant Credit Reporter above.

### Correcting your credit related information

If you believe that any credit related information held by us about you is inaccurate, out of date, incomplete, irrelevant or misleading, please contacting our Data Protection Officer, [dpo@legrand.com.au](mailto:dpo@legrand.com.au) to arrange a review. Legrand will try to resolve correction requests within 20 working days of your making a request but in some circumstances it may take longer. If we need more time to resolve your request we will notify you as to the delay, the reasons for it and seek your written agreement to a longer period.

If your request for correction is successful, we will provide written notice of the correction to you, and where practicable and not prohibited by law, to certain other people we provided the pre-correction information (other than identification information) to such as relevant Credit Reporters and to any other third party as required under the Act. If we refuse your request for correction, we will provide written reasons for the refusal and advise you of available avenues of redress.

## How can you complain about a breach of the Act?

If you believe an act or practice Legrand has engaged in has breached the Act, you can lodge a complaint free of charge by contacting our Data Protection Officer, [dpo@legrand.com.au](mailto:dpo@legrand.com.au). We will endeavour to contact you to confirm receipt within 7 days of us having received your complaint. Legrand will try to resolve the complaint within 20 working days of receiving the complaint. If we need more time to resolve your request we will notify you as to the delay, the reasons for it and seek your written agreement to a longer period. Depending on the nature of the complaint, it may be necessary for us to consult with third parties, including Credit Reporters or other credit providers, in order to investigate and resolve your complaint.

If you are unhappy with our resolution of your complaint or with the way Legrand has handled your complaint, you may refer this to the Office of the Privacy Commissioner ("the Commissioner") (see <https://www.privacy.org.nz> for further details).

### How do you contact us?

If you have any questions about this Credit Reporting Policy or our handling of your information, please contact our Data Protection Officer, [dpo@legrand.com.au](mailto:dpo@legrand.com.au).

**Note:** In relation to credit related information referred to in this Credit Reporting Policy, the provisions of this Credit Reporting Policy will prevail over the Privacy Policy.